

Atty's Docket: 101195-54

Written Description

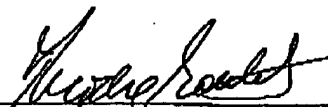
Claim 17 is directed to elevating the level of a transgene product in the serum; not measuring the level of a transgene product. This is clearly demonstrated in embodiment 2 and figure 4. Therefore, claim 17 cannot reasonably be viewed as new matter.

Claim 17 depends from claim 16, which in turn depends from newly amended claim 1. The claim describes a method of using the YB-1 containing vector for in vivo expression. It is believed that this method is adequately supported and enabled, in view of the data and guidance provided in the specification.

With respect to the rejection of claims 1-3, 6-10 and 16-17 for lack of adequate support, the claims have been amended to require the YB-1 promotor, of SEQ ID NO: 1, as suggested by Examiner at the bottom of page 4 of the office action. The new sequence listing is submitted herewith.

Respectfully Submitted,

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